IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

NTP, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Civil Action No. 3:07cv 549-JRS**
	)	
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS,	)	
	)	
Defendant.	)	

PLAINTIFF NTP, INC.'S SIXTH REPORT
ON THE STATUS OF THE REEXAMINATION APPEALS

Pursuant to this Court's Order of October 31, 2007, Plaintiff NTP, Inc. ("NTP"), by counsel, submits its sixth report on the status of the reexamination proceedings for the eight (8) patents at issue in this action ("the NTP Patents").

STATUS REPORT

The NTP Patents have been involved in reexamination proceedings in the United States Patent and Trademark Office ("USPTO").

As indicated in the First Status Report, NTP appealed the final rejections made by the USPTO examiners to the USPTO's Board of Patent Appeals and Interferences ("BPAI") in the various reexamination proceedings for the NTP Patents. As indicated in the last report, the BPAI has rendered decisions for each of the reexaminations, either affirming or affirming in part the examiners' final rejections. NTP is currently appealing the BPAI decisions to the United States Court of Appeals for the Federal Circuit ("Federal Circuit").

A brief status of each of the NTP Patents is provided in Table 1 below.

Table 1. Serial Numbers, Reexamination Control Numbers and Status of the Reexaminations of the NTP Patents

Serial No. of NTP Patents	Reexamination Control No.	Reexamination Status as of September 30, 2010	Claims Confirmed by the BPAI
5,436,960	90/006,533 90/006,675 90/007,731	BPAI affirmed final rejections in part. On Appeal to the Federal Circuit: – Notice of Appeal filed February 17, 2010 – Brief of Appellant NTP, Inc. filed June 1, 2010 – Brief of Appellee (Director of USPTO) due October 1, 2010 – NTP's Reply Brief due November 4, 2010	4, 6, 11, 15, 17, 21, 23, 28, 32, 34, 38, 40, 45, 49, 51, 55, 57, 62, 67, 79
5,438,611	90/006,676	BPAI affirmed final rejections. On Appeal to the Federal Circuit: – Notice of Appeal filed January 26, 2010 – Brief of Appellant NTP, Inc. filed May 10, 2010 – Brief of Appellee (Director of USPTO) filed September 17, 2010 – NTP's Reply Brief due October 21, 2010	None
5,479,472	90/006,677	BPAI affirmed final rejections in part. On Appeal to the Federal Circuit: – Notice of Appeal filed February 17, 2010 – Brief of Appellant NTP, Inc. filed June 1, 2010 – Brief of Appellee (Director of USPTO) filed September 24, 2010 – NTP's Reply Brief due October 28, 2010	10, 12, 14, 16, 18, 20, 29, 31, 33, 35, 37

Serial No. of NTP Patents	Reexamination Control No.	Reexamination Status as of September 30, 2010	Claims Confirmed by the BPAI
5,625,670	90/006,491 90/006,678 90/007,723	BPAI affirmed final rejections in part. On Appeal to the Federal Circuit: – Notice of Appeal filed February 12, 2010 – Brief of Appellant NTP, Inc. filed May 24, 2010 – Brief of Appellee (Director of USPTO) filed September 17, 2010 – NTP's Reply Brief due October 21, 2010	567-570
5,631,946	90/006,492 90/006,679	BPAI affirmed final rejections in part. On Appeal to the Federal Circuit: – Notice of Appeal filed February 17, 2010 – Brief of Appellant NTP, Inc. filed June 1, 2010 – Brief of Appellee (Director of USPTO) filed September 24, 2010 – NTP's Reply Brief due October 28, 2010	289, 296-305, 307-309, 314-329, 333
5,819,172	90/006,493 90/006,680 90/007,735	BPAI affirmed final rejections. On Appeal to the Federal Circuit: – Notice of Appeal filed February 17, 2010 – Brief of Appellant NTP, Inc. filed June 1, 2010 – Brief of Appellee (Director of USPTO) filed September 24, 2010 – NTP's Reply Brief due October 28, 2010	None

Serial No. of NTP Patents	Reexamination Control No.	Reexamination Status as of September 30, 2010	Claims Confirmed by the BPAI
6,067,451	90/006,494 90/006,681 90/007,726	BPAI affirmed final rejections. On Appeal to the Federal Circuit: – Notice of Appeal filed February 2, 2010 – Brief of Appellant NTP, Inc. filed May 17, 2010 – Brief of Appellee (Director of USPTO) filed September 17, 2010 – NTP's Reply Brief due October 21, 2010	None
6,317,592	95/000,020 90/006,495	BPAI affirmed final rejections. On Appeal to the Federal Circuit: – Notice of Appeal filed February 17, 2010 – Brief of Appellant NTP, Inc. filed June 1, 2010 – Brief of Appellee (Director of USPTO) due October 1, 2010 – NTP's Reply Brief due November 4, 2010	None

On July 8, 2010, NTP initiated six (6) patent infringement actions which are currently pending in this Court. A brief status of each of the new actions is provided in Table 2 below.

Table 2. Status of NTP Actions Filed on July 8, 2010

Case	CA No.	Status
NTP, Inc. v. Apple, Inc.	3:10CV00467	Pleadings Stage.
NTP, Inc. v. LG Electronics MobileComm U.S.A., Inc. et al.	3:10CV00468	Pleadings Stage.
NTP, Inc. v. Google Inc.	3:10CV00469	The Court granted the parties' Joint Motion to Stay on September 3, 2010.
NTP, Inc. v. Microsoft Corp.	3:10CV00470	The Court granted NTP's Consent Motion to stay on September 14, 2010.
NTP, Inc. v. Motorola, Inc.	3:10CV00471	Pleadings Stage.
NTP, Inc. v. High Tech Computer Corp. et al.	3:10CV00472	Pleadings Stage.

CONCLUSION

At this point, NTP requests that the Court defer its reconsideration of the stay. NTP will continue to advise the Court of the progress of the appeals to the Federal Circuit.

Dated: September 30, 2010

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CERTIFICATE OF SERVICE

I hereby certify that September 30, 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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